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AF

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Applicant:

Tom E. Pearson, et al.

Serial No.: 10/814,528

Filed: March 31, 2004

For: Infrared Transmissive  
Integrated Circuit  
Socket Cap

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Art Unit: 2833

Examiner: Vanessa Mary Girardi

Atty Docket: ITL.1105US  
(P18745)

Assignee: Intel Corporation

Mail Stop **Appeal Brief-Patents**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY BRIEF**

The following reply brief is submitted in response to four new points raised by the Examiner in the Examiner's Answer.

1. Does the Fact that Ciabrone is Applicable to any Manufacturing Process Using Infrared Reflow Soldering Have a Bearing on Obviousness?

The Examiner contends that because Ciabrone says that his patent is applicable to any reflow soldering operation it would be reasonable to combine it with the other cited reference to meet the claimed limitations here.

The fundamental problem with the assertion is that Ciabrone teaches a soldering tool. Thus, while Ciabrone claims that he is applicable to any reflow soldering process, he is applicable via the soldering tool, not the thing that is soldered. Thus, one skilled in the art would only see Ciabrone as a way to modify a soldering tool and would see no impact that it would

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have on the item being soldered. Thus, the statement relied on by the Examiner is true, but is unhelpful to the obviousness case posed here.

2. Does the Prior Art Teach a Reason to Substitute the Cover of Liao with the Element from the Soldering Tool of Ciambrone?

The Examiner posits that the reason to substitute the infrared material from the tool in Ciambrone into the thing that is soldered in Liao is that this would somehow make the Liao cover more recyclable. But, of course, there is no reason why Liao would be terribly worried about not making his cap recyclable or making it more or less recyclable. For example, if it were made of metal, it still would be fully recyclable. Moreover, the pickup cap is such a small item, it is hard to imagine recyclability would be of any significant concern. If one wanted to make the pickup cap recyclable, he could make it out of a number of materials that are not infrared transmissive, including any metal. Metals are commonly recycled just like plastic. Aluminum cans are highly prized for recycling. Thus, there is no reason to believe that the recyclability of the cap would be improved by making it of a plastic that is infrared transmissive.

3. Is the Cover of Liao and the Present Application Identical?

The Examiner's argument that the cover of the present application and that of Liao are identical is, of course, contested. That is the whole point of the appeal. Never has the Examiner ever said that they are identical. If they were identical, the Examiner would not need to be citing Ciambrone.


4. Does it Matter that No One Recognized the Problem?

Similarly, untenable is the assertion that it does not matter that no reference ever recognized the problem of the heating up of a cover of an integrated socket. Clearly, nothing in Liao suggests any such problem. Ciambrone, likewise, never suggests any such problem. Ciambrone only deals with a soldering tool. No reference ever recognized the problem and no reference ever posed any solution to that problem or a reasonably analogous problem.

Given the failure to recognize the problem or its solution, both clearly pertinent issues, the rejection should be reversed.

Respectfully submitted,

Date: September 24, 2007



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